



Family Day Care Homes

Chesterfield County Zoning Standards

*(The following information is excerpted from, and summarizes the Chesterfield County Zoning Ordinance.
Please consult the actual ordinance for the exact code language)*

Many people have family day care businesses operating out of their home. The zoning rules that apply to home-based day care businesses vary, based on the type of business you are proposing and where you want to locate your business.

☺ *Remember: these rules apply only to businesses located in Chesterfield County.*

Types of Day Care Businesses

There are two general types of day care businesses:

- ☺ **Family day care homes:** *"A dwelling unit in which the provider resides that is used to provide care, protection and guidance to one through twelve children exclusive of the provider's own children and any children who reside in the home when at least one child receives care for compensation. Family day care homes are not subject to the requirements governing home occupations."*
- ☺ **Childcare centers:** *"Any facility, other than a family day care home, operated for the purpose of providing care, protection and guidance to a group of ten or more children separated from their parents or guardian during a part of the day only..."*



Locating Your Day Care Business

Every property in Chesterfield County is located in a certain zoning district.



Locating Your Day Care Business

- ☺ Family day care homes are allowed in the Agricultural, Residential, Townhouse, Multi-Family, and MH-2 zones, as follows:
 - ☒ You will care for no more than five children at one time, besides your own children and those who already live with you. No further zoning permit required.
 - ☒ You will care for more than five children at one time, besides your own children and those who already live with you. Conditional use permit required (see below for discussion).
- ☺ Family day care homes are not allowed in the MH-1, Office, Commercial, or Industrial zones.

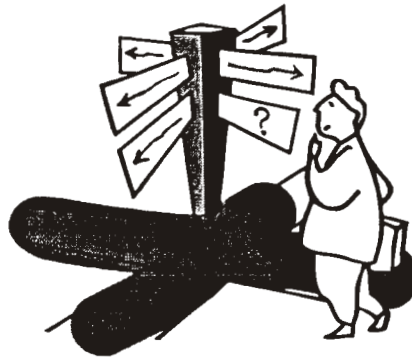


- ☺ Childcare Centers may be allowed in every zoning district, except MH-1, as follows:
 - ☒ Agricultural, Residential, Townhouse, Multi-Family, and MH-2 zoning districts: Conditional use permit required.
 - ☒ Office and Commercial zoning districts: permitted.
 - ☒ Industrial zoning districts: restricted use with special conditions.
 - ☒ You may also need Site Plan Review approval to establish a childcare center. Call Planning staff to discuss.

Conditional Use Permits

A conditional use permit is a special permit that allows a land use in a zone where it would not normally be permitted, subject to certain conditions. Approval cannot be guaranteed. Each application requires review and approval through a public hearing process before the Planning Commission and the Board of Supervisors. The Board ultimately makes the final decision, on a case-by-case basis. This process requires 4 to 5 months to complete. To apply, you need a completed application package (contact Planning staff to discuss) and a non-refundable application fee:

- ☒ Family day-care homes: \$250
- ☒ Childcare centers: \$1,250, plus \$30 per acre of site area



Frequently Asked Questions

- Q. I'm not charging a fee. Do I need any zoning approval?
- A. *If no fee is charged for the care you are providing, the use is not a business and there is probably no zoning issue.*
- Q. I care for three children in the morning. They leave by noon each day. I care for four other children in the afternoon. What restrictions apply?
- A. *Since you will not be caring for five or more children at any one time, the business is permitted, and no further zoning permit is required.*
- Q. I have four children of my own and plan to take care of two others for a friend. I'll charge a low fee. Is this legal?
- A. *Since you will only care for two children besides your own, the business is a permitted family day care home, and no further zoning permit is required.*
- Q. I want to have a childcare business at a house I own. However, I don't live there. Does this create any problems?
- A. *If you don't live at the house, and you want to have a day care business, this falls into the zoning category of "childcare center." A conditional use permit would be required before you start business there.*
- Q. I want to start small, say with three or four children under my care, and then gradually grow my business. I'd like to be eventually licensed for 12 children. What's the process to allow this?
- A. *At any point you wish to care for more than five children, other than your own or those who live with you, you will need prior approval of a conditional use permit.*



Frequently Asked Questions

- Q. I want to do a child care business at home. Someone else in my neighborhood does childcare for 8 kids in their house, and I know that they don't have any permit. What's with that?
- A. *If someone is operating a family day care home in violation of the Zoning Ordinance, we'd like to know. Please contact our Code Enforcement staff at 748-1500 to file a complaint. Our staff will investigate the complaint to verify if a violation exists. If there is a violation, we will pursue compliance action as allowed by law. In any event, your family day care home must meet current code requirements.*
- Q. How many employees can I have?
- A. *There is no zoning limit on employees for either family day care homes or childcare centers.*

Information Resources



Chesterfield County Planning Department

Web: www.chesterfield.gov/plan
E-mail: planning@chesterfield.gov
Phone: (804) 748-1050
Fax: (804) 717-6295
Walk-In: 9901 Lori Road, Room 203
Mail: P.O. Box 40, Chesterfield, VA
23832-0040

Virginia State Department of Social Services

Web: www.dss.state.va.us
Phone: (804) 662-9743
Fax: (804) 662-7011